



Entered on Docket  
October 07, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining First Omnibus Objection  
Of USACM Trust To Proofs Of Claim  
Based Entirely Upon Investment In The  
Castaic Partners II Loan**

Hearing Date: September 30, 2011  
Hearing Time: 9:30 a.m.

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Castaic Partners II Loan ("Castaic Partners II Loan") [DE 8840] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Castaic Partners II Loan;  
2 and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8840] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
6 claims are based entirely upon an investment in the Castaic Partners II Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9  
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

## USACM Trust

## Castaic Partners II Loan

## Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Castiac Partners II, LLC Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Castiac Partners II, LLC Loan
10725-01079	11/7/2006	42145 Trust	C/O Richard C Macdonald Trustee 1730 W Horizon Ridge Pkwy Henderson, NV 89012-1001	250,000.00	250,000.00
10725-01080	11/7/2006	92173 Family Trust	C/O Richard C & Claire Macdonald Ttees 1730 W Horizon Ridge Pkwy Henderson, NV 89012-1001	250,000.00	250,000.00
10725-00778	10/27/2006	Clark, Harold	555 Twining Flats Rd Aspen, CO 81611	54,329.00	54,329.00
10725-01457	11/16/2006	Dupin, William & Penny	545 Cole CIR Incline Village, NV 89451	50,000.00	50,000.00
10725-01835-2	1/2/2007	Graf, Paul D & Margaret A	2530 Great Hwy San Francisco, CA 94116-2613	62,875.03	62,875.03
10725-02357	1/16/2007	Michael Reed IRA	First Savings Bank Custodian Michael Reed 968 Gresham Road Cadiz, KY 42211	101,493.04	50,746.52
10725-01119	11/9/2006	Wade, Marlene C	2314 Tall Timbers LN Marietta, GA 30066	50,000.00	50,000.00
10725-01448	11/14/2006	Wald Financial Grp Inc Defined Benefit Pension TRT	249 Margo Way Po Box 307 Pismo Beach, CA 93448-0307	50,520.83	50,520.83

EXHIBIT A

2433650.1